

|   |                          |                     |
|---|--------------------------|---------------------|
| <b>DECLARATION FOR UTILITY OR<br/>DESIGN PATENT APPLICATION</b><br><b>(37 CFR 1.63)</b><br><br><input checked="" type="checkbox"/> Declaration Submitted<br>with Initial Filing <input type="checkbox"/> Declaration<br>Submitted after<br>Initial Filing | Attorney Docket Number   | TSRI 651.6          |
|   | First Named Inventor     | David A. CHERESH    |
|   | <b>COMPLETE IF KNOWN</b> |                     |
|   | Application Number       |                     |
|   | Filing Date              | <b>May 18, 2005</b> |
|   | Group Art Unit           |                     |
|   | Examiner Name            |                     |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed) or an original, first, and joint inventor (if more than one name is listed) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD OF TREATMENT OF MYOCARDIAL INFARCTION**

the specification of which:

- ☐ is attached hereto;
- ☒ was filed on November 18, 2003 as United States Application Number or PCT International Application Number PCT/US03/37653.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application, as defined in 37 CFR 1.56.

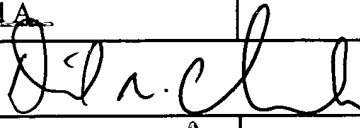
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached?<br>YES NO                           |
|-------------------------------------|---------|----------------------------------|--------------------------|--|
| PCT/US03/37653                      | PCT     | 11/18/2003                       | <input type="checkbox"/> | <input type="checkbox"/> <input checked="" type="checkbox"/> |

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| 60/087,220            | 05/29/1998                       |   |

| <h1 style="margin: 0;">DECLARATION</h1> <h2 style="margin: 0;">- Utility or Design Patent Application</h2>   |   |   |                     |   |
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| 10/298,377<br>09/538,248<br>09/470,881<br>PCT/US99/11780   |   | 11/18/2002<br>03/29/2000<br>12/22/1999<br>05/28/1999                          |                     | 6,685,938                               |
| <input type="checkbox"/> Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.  |   |   |                     |   |
| As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business connected therewith in the Patent and Trademark Office:<br><input type="checkbox"/> Customer Number _____ or <input checked="" type="checkbox"/> Registered Practitioner(s) name/registration numbers listed below   |   |   |                     |   |
| Name   | Registration Number   | Name  | Registration Number |   |
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| Dolores T. Kenney  | 31,269  | Talivaldis Cepuritis  | 20,818              |   |
| Seymour Rothstein  | 19,369  | Daniel J. Deneufbourg   | 33,675              |   |
| Joseph M. Kuo  | 38,943  | Martin J. Corn  | 35,847              |   |
| David A. Gottardo  | 46,736  | Robert J. Ross  | 45,058              |   |
| John W. Klooster   | 18,953  |   |                     |   |
| <input checked="" type="checkbox"/> Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet attached hereto.   |   |   |                     |   |
| Direct all correspondence to: <input type="checkbox"/> Customer Number _____ or <input checked="" type="checkbox"/> Correspondence address below   |   |   |                     |   |
| Name <b>Talivaldis CEPURITIS</b><br><b>OLSON &amp; HIERL, LTD.</b>   |   |   |                     |   |
| Address <b>20 North Wacker Drive, 36th Floor</b>   |   |   |                     |   |
| City   | Chicago   | State   | IL                  | ZIP 60606                               |
| Country  | US  | Telephone   | (312) 580-1180      | Fax (312) 580-1189                      |
| I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.  |   |   |                     |   |
| Name of Sole or First Inventor:  |   | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                     |   |
| Given Name (first and middle, if any)  |   | Family Name or Surname  |                     |   |
| David A.   |   | CHERESH   |                     |   |
| Inventor's signature   |  |   |                     | Date: 3/8/04                            |
| Residence  | City Encinitas  | State CA  | Country US          | Citizenship US                          |
| Post Office Address  | 3277 Lone Hill Lane   |   |                     |   |
| City Encinitas   |   | State CA  | ZIP 92024           | Country US                              |
| <input checked="" type="checkbox"/> Additional inventors are being named on the <u>1</u> supplemental Additional Inventor(s) Sheet(s) attached hereto  |   |   |                     |   |

| DECLARATION                                |                  | ADDITIONAL INVENTOR(S)<br>Supplemental Sheet<br>Page 1 of 1                   |                    |                        |
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| Given Name (first and middle, if any)      |                  | Family Name or Surname  |                    |                        |
| Robert                                     |                  | PAUL  |                    |                        |
| Inventor's signature                       |                  |   |                    | Date:                  |
| Residence                                  | City<br>Munich   | State   | Country<br>Germany | Citizenship<br>Germany |
| Post Office Address                        | Bruderhofstr.9   |   |                    |                        |
|  | City<br>Munich   | State   | ZIP<br>D-81371     | Country<br>Germany     |
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| Brian                                      |                  | ELICEIRI  |                    |                        |
| Inventor's signature                       |                  |   |                    | Date:                  |
| Residence                                  | City<br>Carlsbad | State<br>CA   | Country<br>US      | Citizenship<br>US      |
| Post Office Address                        | 2933 Via Ipanema |   |                    |                        |
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Rec'd PCT/PTO 18 MAY 2005

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# DECLARATION

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| Country | US      | Telephone | (312) 580-1180 | Fax | (312) 580-1189 |

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| Inventor's signature  |                     |   |               | Date:             |  |
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| Post Office Address   | 3277 Lone Hill Lane |   |               |                   |  |
|   | City<br>Encinitas   | State<br>CA   | ZIP<br>92024  | Country<br>US     |  |
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| Robert                                     |                  | PAUL  |                 |                     |
| Inventor's signature                       |                  |   | Date: 03/09/04  |                     |
| Residence                                  | City Munich      | State   | Country Germany | Citizenship Germany |
| Post Office Address                        | Bruderhofstr.9   |   |                 |                     |
|  | City Munich      | State   | ZIP D-81371     | Country Germany     |
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